

CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)

Wednesday, April 28, 2004

Stephen P. Clark Center

Miami-Dade Commission Chambers

111 NW 1st Street

10:00 a.m.

Summary of Minutes

MEMBERS PRESENT:

Hon. John F. Cosgrove, Chairman
Franklin Kelly
Thamara Labrousse
Miles Moss
Theodore Wilde

Harold Braynon, Jr.
Henry Lee Givens
Herminio Lorenzo
Hon. James Reeder

Excused Members:

Marc Buoniconti
Hon. Luis Morse

COUNTY ATTORNEY:

Bruce Libhaber

OTHERS PRESENT:

Hilda Fernandez, Executive Director, OCITT
Paul Voight, DERM
John Labriola, OCITT
Bob Pearsall, MDT
Manuel Mejido, San Martin Assoc.
Betty Alexander, DBD
Claudette Hinton, MDT
Pepe Valdes, OCITT
Virginia Diaz, OCITT

Patty David, OCITT
George Navarrete, MDT
R. Ladner, BSR
David Tinder, PWD
Clinton Forbes, MDT
Greg Blackman, GSAF
Veronica Rubert, OCITT
Jack Furney, OCITT

ROLL CALL

With a quorum being present, Mr. John Cosgrove called the meeting to order at 10:10 a.m.

APPROVAL OF AGENDA

Mr. Cosgrove stated that items 7A – 7D will be taken up at the end of the meeting because staff from the Public Works Department (PWD) is in the process of obtaining a Mayoral veto waiver in order for those items to be considered. Mr. Cosgrove requested a motion to approve the revised agenda. The motion was unanimously approved.

APPROVAL OF MINUTES

Mr. Cosgrove requested a motion to approve the March 31, 2004 minutes. Mr. Henry Lee Givens moved to approve the minutes. The motion was seconded by Mr. James Reeder and carried without dissent.

CITIZEN'S COMMENTS

None

REPORTS

Chairman's Report

Mr. Cosgrove provided comments on the following:

- Thanked Mr. Miles Moss and Lt. Col. Antonio Colmenares for representing the CITT while meeting with Commissioner Javier Souto and his staff regarding his proposed PTP amendment regarding Expansion of the Golden Passport to Veterans.
- Updated members on the status of the Financial Advisor request, which is still pending. However, OCITT staff is working on obtaining a temporary staff member until that request can be finalized. He stated that he feels it is important for the CITT to have an independent financial advisor who can provide expert analysis on the overall PTP program worth over \$150 million per year. In addition, Mr. Cosgrove thanked Marsha Jackman, Director, Department of Business Development, and her staff for their assistance in the RFP.
- Announced that the Proposed PTP Amendment to the Ordinance is scheduled for a public hearing at the Board of County Commissioners Transportation Committee meeting (TC) May 20, 2004 at 2:00 p.m. The item would then be forwarded to the BCC. He is hopeful that something can be resolved with the BCC.
- Encouraged the members to attend the various transportation conferences. Members who attend any conference will provide the CITT with any report or feedback that can be useful to the rest of the CITT members.

Executive Director Report

Ms. Hilda Fernandez welcomed back Luis Linares, OCITT staff, who was injured in an automobile accident while delivering board packages. She explained that in January 2004 the CITT approved a "Concurrent Contract Review". The process allows for the review and approval of PTP-funded contracts concurrent with the review of the BCC Transportation Committee. To date, CITT has approved seven amendments to the PTP since last year, with an average approval time of 28 days. In addition, seven contracts have been approved with an average of 38 days. The lapse between the CITT and BCC has been nine days because there have been mayoral veto waivers. Staff will continue to update the list and report to the CITT on a monthly basis. Ms. Fernandez also mentioned that the 90-day report required by the County Ordinance has been distributed. She thanked the members who attend the dedication of the Penske Garage. She also announced that MDT implemented a new bus service line-up on April 25. A budget hearing for fiscal year 04-05 was held with the County Manager and staff and CITT member Mr. Wilde. A supplemental budget for the current fiscal year was approved by the BCC on April 27, 2004. She noted that the budget was established without any OCITT staff input. Ms. Fernandez stated that members expressed an interest in having two separate workshops for the Program Management Consultant RFP and the Pro Forma. Staff is working on scheduling those workshops and once they are scheduled members will be notified. Lastly, she mentioned that a copy of the "Cash Analysis", "Collection Report" and a slightly modified "Scope of Services" for the Financial Advisor has been distributed.

Budget & Finance Committee – Theodore Wilde

Mr. Wilde reported that the committee met April 22, 2004. The committee reviewed the Cash Analysis for the first 12 months of surtax revenues. Revenues for the first fiscal year, 2003, were \$12 million less than anticipated. The shortfall for fiscal year 2004 is expected to be the same. This will require major revisions of the pro forma's financial projections. The committee discussed the DERM contracts and took the same position as the Project Review Committee in proposing an alternative resolution that will be discussed later. He noted that he was the only dissenting member. The committee did not take action on Commissioner Souto's proposal to amend the PTP to expand the Golden Passport to veterans until members Lt. Col. Colmenares and Miles Moss meet with the commissioner. If the Trust approves that item, he will propose that that Budget & Finance review the entire Golden Passport program. Lastly, the committee approved a resolution requesting that the MPO study the benefits of school flashers.

Project Review Committee – LtCol Antonio Colmenares

No report

Compliance & Oversight Committee – Henry Lee Givens

Mr. Givens announced that he was going to be attending the Para Transit Conference in Denver, Colorado on May 2, 2004 representing the CITT. He would provide the members with a report at the next CITT meeting May 26, 2004.

External Affairs Committee

Ms. Virginia Diaz reported on behalf of Marc Buoniconti who chaired the last to committee meetings for member Luis Morse. The External Affairs committee discussed the following:

- Municipality Workshop scheduled May 21, 2004 at the Town of Medley
- MDT Comprehensive Bus Analysis Survey conducted by Center for Urban Research Transportation
- Presentation by MDT Customer Service Division which also agreed to look into providing a comment/complaint card at the Metrorail and Metromover stations as well as on the buses
- Nesbitt Settlement with Miami-Dade regarding the ADA Compliance

ACTION ITEMS

7E1 RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING THE BOARD OF COUNTY COMMISSIONERS' (BCC) ACTION AUTHORIZING THE EXECUTION OF TWO NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS (PSA) BETWEEN MIAMI-DADE COUNTY AND CHEROKEE ENTERPRISES, INC., AND PEER CONSULTANTS, P.C., TO PROVIDE GROUNDWATER, SURFACE WATER AND SOIL CONTAMINATION CLEANUP SERVICES, PROJECT NUMBER E03-DERM-01; IN THE AMOUNT UP TO \$500,000

Forwarded with a unfavorable recommendation by PRC/B&F Committees

Mr. Cosgrove stated that the members expressed a concern about the process whereby the BCC approved the contracts, not about the merits of the contracts. The initial request made by DERM was for two PSAs for \$5 million each, but it was discovered that the County Ordinance limits PSAs to \$500,000 each. DERM then requested an amendment to the County Ordinance to raise the cap to \$5 million for PSAs, which the BCC stated it would approve in the future, with the understanding that the contracts would increase to \$5 million once the BCC amends the County Ordinance. The members then proposed an alternative resolution 7E2.

Mr. Cosgrove said if the members are not in favor of 7E1, they need to vote negatively.

Mr. Moss added that not approving item 7E1 would not cause a major delay or detrimental impact to any projects according to MDT staff that attending the committee meetings.

Mr. Herminio Lorenzo asked MDT staff if the delay would have a negative impact on the operations of the departments. Mr. George Navarrate, acting Assistant Director, MDT, replied it would not. Mr. Cosgrove added that both the Project Review and the Budget & Finance committees reviewed the contracts and did not question their validity but were concerned about the process.

Mr. Moss moved to approve 7E1. The motion was seconded by Mr. Reeder. Mr. Cosgrove asked for a roll call:

Mike Abrams	Absent
LtCol Colmenares	Absent
Marc Buoniconti	Absent
Yolanda Aguilar	Absent
Luis Morse	Absent
Harold Braynon	Nay
Henry Lee Givens	Nay
James Reeder	Nay
Herminio Lorenzo	Nay
Miles Moss	Nay
Franklin Kelly	Nay
John Cosgrove	Nay
Theodore Wilde	Aye

Mr. Cosgrove stated that motion failed.

7E2 (ALTERNATE) RESOLUTION DISAPPROVING AWARDS OF TWO (2) PROFESSIONAL SERVICES AGREEMENTS (PSA) BY THE BOARD OF COUNTY COMMISSIONERS (BCC) FOR PROJECT NO. E03-DERM-01 WHICH DELEGATES TO THE COUNTY MANAGER AUTHORITY TO INCREASE THE \$500,000 CEILING AMOUNT OF EACH PSA UNDER CERTAIN CONDITIONS; AND RECOMMENDING THE BCC AWARD PSA'S FOR PROJECT NO. E03-DERM-01 IN AN AMOUNT NOT TO

EXCEED \$500,000 EACH, AS PERMITTED UNDER EXISTING COUNTY CODE

Forwarded with favorable recommendation by PRC/B&F Committees

Mr. Moss moved to approve 7E2. The motion was seconded by Mr. Reeder and unanimously approved.

7F **REVISED:** RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC) AMEND THE PEOPLE'S TRANSPORTATION PLAN (PTP) TO IMPLEMENT A DEMONSTRATION PROGRAM THAT EXPANDS MIAMI-DADE TRANSIT'S GOLDEN PASSPORT PROGRAM FOR A PERIOD OF THREE (3) YEARS TO INCLUDE HONORABLY DISCHARGED VETERANS WHO ARE MIAMI-DADE COUNTY RESIDENTS AND WHOSE ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED THE STANDARD THRESHOLD APPLIED TO DETERMINE ELIGIBILITY FOR THE LOW-INCOME, SENIOR CITIZEN'S ADDITIONAL HOMESTEAD EXEMPTION.
(Sponsored by Commissioner Javier Souto)
No action by PRC/B&F Committees

Mr. Cosgrove thanked Mr. Moss and Lt. Col. Colmenares for meeting with Commissioner Souto and his staff on the revised proposal. Mr. Moss said the Commissioner suggested a pilot program for three years to evaluate the program impact. Mr. Cosgrove added that a cover memorandum by the Executive Director outlines the proposal.

Mr. Moss moved to approve 7F. The motion was seconded by Mr. Lorenzo. The motion was approved with Mr. Reeder and Mr. Wilde dissenting.

7G RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) SUPPORTING MIAMI-DADE COUNTY'S POSITION IN DIRECTING THE COUNTY'S SELECTED CONSULTANT TO UPDATE AND REVALIDATE THE PREVIOUS FINDINGS, AND REAFFIRM THE RECOMMENDED TRANSPORTATION SOLUTION, FOR THE SR-836 CORRIDOR, INCLUDING THE CONSIDERATION OF ALL PREVIOUSLY EXAMINED OPTIONS, AS WELL AS OTHER OPTIONS THAT MAY BE VIABLE BUT NOT PART OF THE ORIGINAL STUDY, INCLUDING BUT NOT LIMITED TO A COMMUTER RAIL EXTENSION ALONG THE CSX COMMUTER RAIL ALONG THE CSX CORRIDOR, BUS RAPID TRANSIT, AND ANY OTHER OPTIONS THAT THE FEDERAL TRANSPORTATION ADMINISTRATION MAY DETERMINE SHOULD BE CONSIDERED

Forwarded with a favorable recommendation by the External Affairs Committee

Ms. Fernandez reported that there was significant discussion regarding the item at the April 20, 2004 External Affairs committee meeting and it was recommended that the CITT support the County's position as it related to expansion of transit services along the State Road (SR) 836 corridor. (A copy of the Executive Director's memorandum was distributed.)

Mr. Moss moved to approve 7G. The motion was seconded by Mr. Givens and carried without dissent.

7H RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) APPROVING A POLICY THAT ESTABLISHES TIMELINES AND DEADLINES FOR THE REVIEW, APPROVAL OR REJECTION OF PROPOSED PEOPLE'S TRANSPORTATION PLAN AMENDMENTS OR CHARTER COUNTY TRANSIT SYSTEM SALES. SURTAX (SURTAX) FUNDED CONTRACTS. (Sponsored by J. Cosgrove, M. Abrams and F. Kelly)

Forwarded with a favorable recommendation by PRC & External Affairs Committees

Mr. Cosgrove stated the item is to set a policy to establish timelines and deadlines for the review and consideration of PTP amendments and PTP-funded contracts. He stated that it is also an effort to assure the public that the CITT is working proactively and is not delaying the approval of any PTP relating contracts. In addition, he has asked staff to put together a procedural manual for the CITT members.

Mr. Lorenzo moved to approve item 7H. The motion was seconded by Mr. Moss and carried without dissent.

7I RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) REQUESTING THE METROPOLITAN PLANNING ORGANIZATION (MPO) TO CONDUCT A STUDY THROUGH THE UNIFIED PLANNING WORK PROGRAM (UPWP) ON THE USE OF "SCHOOL FLASHING LIGHTS" FOR SAFETY AT SCHOOL CROSSINGS

Forwarded with a favorable recommendation by B&F Committee

Ms. Fernandez reported that at the Budget & Finance committee meeting of April 22, 2004, while reviewing the Public Works Department's request for approval of the Raydan Electric contract for school flashers, a motion was made to request the MPO to conduct a study through the UPWP to determine the effectiveness of school flashing lights in improving safety.

Mr. Lorenzo moved to approve item 7I. The motion was seconded by Mr. Braynon and carried without dissent.

Mr. Cosgrove stated the PWD has received a Mayoral veto waiver from items 7A – D.

7A RESOLUTION BY THE CITIZENS' INDEPENDENT
TRANSPORTATION TRUST (CITT) APPROVING THE
ACTION BY THE MIAMI-DADE BOARD OF COUNTY
COMMISSIONERS AWARDDING A CONTRACT TO RAYDAN
ELECTRIC, INC., FOR THE PUBLIC WORKS
DEPARTMENT'S (PWD), PROJECT ENTITLED PEOPLE'S
TRANSPORTATION PLAN (PTP) SCHOOL FLASHERS ,
PROJECT NUMBER 20030014
*Forwarded with a favorable recommendation by PRC/B&F
committees*

Ms. Fernandez stated it is staff's recommendation to approve the action of the BCC in
awarding a contract to Raydan Electric, Inc. for the project entitled School Flashers,
PWD Project No. 20030014 for PTP.

Mr. Reeder moved to approve 7A. The motion was seconded by Mr. Kelly and carried
without dissent.

7B RESOLUTION BY THE CITIZENS' INDEPENDENT
TRANSPORTATION TRUST (CITT) APPROVING THE
ACTION BY THE MIAMI-DADE BOARD OF COUNTY
COMMISSIONERS OF AWARDDING A CONTRACT TO
XCEL ENGINEERING, CORP., FOR THE PUBLIC WORKS
DEPARTMENT'S (PWD), PROJECT ENTITLED PEOPLE'S
TRANSPORTATION PLAN (PTP) SIDEWALK CONTRACT,
PROJECT NUMBER 20030006
*Forwarded with a favorable recommendation by PRC/B&F
committees*

Ms. Fernandez stated it is staff's recommendation to approve the action of the BCC in
awarding a contract to Xcel Engineering Corp., for the project entitled Sidewalk
Contract, PWD, Project No. 200300006 for the PTP.

Ms. Labrousse moved to approve item 7B. The motion was seconded by Mr. Reeder
and carried without dissent.

7C RESOLUTION BY THE CITIZENS' INDEPENDENT
TRANSPORTATION TRUST (CITT) APPROVING THE
ACTION BY THE MIAMI-DADE BOARD OF COUNTY
COMMISSIONERS AWARDDING A CONTRACT TO XCEL
ENGINEERING CORP., FOR THE PUBLIC WORKS
DEPARTMENT'S (PWD), PROJECT ENTITLED PEOPLE'S
TRANSPORTATION PLAN (PTP) ADA SIDEWALK
CONTRACT, PROJECT NUMBER 20030012
*Forwarded with a favorable recommendation by PRC/B&F
Committees*

Ms. Fernandez stated it is staff's recommendation to approve the action of the BCC in awarding a contract to Xcel Engineering Corp., for the PWD PTP project entitled ADA Sidewalk Contract, Project No. 20030012.

Mr. Givens moved to approve 7C. The motion was seconded by Mr. Kelly and carried without dissent.

7D RESOLUTION BY THE CITIZENS' INDEPENDENT
TRANSPORTATION TRUST (CITT) APPROVING THE
ACTION BY THE MIAMI-DADE BOARD OF COUNTY
COMMISSIONERS AWARDED A CONTRACT TO H & R
PAVING, INC., AND THE PUBLIC WORKS DEPARTMENT
(PWD) FOR THE PEOPLE'S TRANSPORTATION PLAN
(PTP) PROJECT NUMBER 20030001
*Forwarded with a favorable recommendation by PRC/B&F
Committees*

Ms. Fernandez stated it is staff's recommendation to approve the action of the BCC in awarding a contract to H & R Paving, Inc., for the PWD PTP Resurfacing Project No. 2003001.

Ms. Labrousse moved to approve item 7D. The motion was seconded by Mr. Braynon and carried without dissent.

NEW BUSINESS

8A RESOLUTION BY THE CITIZENS' INDEPENDENT
TRANSPORTATION TRUST (CITT) URGING THE BOARD
OF COUNTY COMMISSIONERS (BCC) TO WITHDRAW
THE PROPOSED AMENDMENT TO SECTIONS 2-1421
AND 29-124 OF THE COUNTY CODE RELATING TO THE
PROCESS FOR AMENDMENTS TO THE PEOPLE'S
TRANSPORTATION PLAN AND SETTING FORTH
DEADLINES FOR CITT ACTION
(Sponsored by Lt. Col. Colmenares and Miles Moss)

Mr. Moss stated that the proposal is simply to request the BCC not to approve the Proposed Amendment. In addition, a copy of a resolution by the City of Miami Beach was distributed. The resolution affirms its support of the CITT as adopted by the BCC in July 2002.

Mr. Moss moved to approve the resolution. The motion was seconded by Mr. Reeder. Mr. Givens asked if the resolution could be discussed after the joint meeting of the BCC and the CITT. The resolution was approved with Mr. Givens dissenting.

Mr. Reeder asked staff for a study regarding the portion of the municipal share of PTP funds required to be used for transit purposes. He suggested that unused funds be placed in a special grant fund. In addition, he would like new municipalities to be able to participate in receiving funds. Mr. Cosgrove stated Mr. Reeder would like his proposal reviewed by staff and the appropriate committees. The first deals with the 20 percent

set-aside for the cities. Mr. Givens wondered if those cities not using all their PTP funds lacked appropriate technical assistance. He stated any unused funds should be returned to the municipalities. Ms. Labrousse asked for clarification on the issue. Mr. Bruce Libhaber said the Ordinance states that 20 percent of PTP funds are distributed to the municipalities, and that each municipality must use at least 20 percent of its funds for transit purposes. Some cities are having trouble spending that portion of the funds. Cities may contract with Miami-Dade County to further transit projects in their municipalities. Any unused money is redistributed among municipalities on a pro rata basis.

Mr. Reeder stated that there is a possibility that at the end of the year some projects from some cities may not be appropriate and those funds should be placed in a special fund. There are new cities that should be able to get some funding. Mr. Cosgrove stated that he would like to refer the issue to External Affairs committee, which has discussed it in the past.

CITIZEN'S COMMENTS

None

ADJOURNMENT

The meeting adjourned at 11:30 a.m.